

**Notice of Allowability**

Application No.

09/872,139

Applicant(s)

RHOADS, MONTE J.

Examiner

Prabodh M. Dharia

Art Unit

2629

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 12-19-2006.
2. ☒ The allowed claim(s) is/are 7,9,14,18,19,21 and 24-27.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All b) ☐ Some\* c) ☐ None of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  5. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_\_
7. ☒ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_.

Art Unit: 2629

1. **Status:** please all the replies and correspondence should be addressed to examiner's new art unit 2629. Receipt is acknowledged of papers submitted 12-19-2006 under amendments on have been placed of record in the file. Claims 7,9,14,18,19,21 and 24-27 are pending in this office action and Claims 1-6,8,10-13,15-17,20,22 and 23 are cancelled.

***Response to Amendment***

2. Applicant has amended the independent claims 7,14 and 21 adding allowable limitations and cancelled claims 8,20 and 23. Claims 7,9,14,18,19,21 and 24-27 are pending and claims 1-6,8,10-13,15-17,20,22 and 23 are cancelled. Applicant's arguments, see Remark, filed 12-19-2006 with respect to Claims 7,14 and 21 regarding "an adjustable screw to lock a display device at one of a plurality of positions, wherein the plurality of positions includes a range of incremental positions between a first position and a second position" have been fully considered, extensively searched under US-PGPUB and prior art and are persuasive as they do overcome prior art rejection. After further search and consideration the amended claim 7,14 and 21 does overcome prior art rejection; which puts the application number 09872139 in condition for allowance.

3. The following is an examiner's statement of reasons for allowance: independent claim 7,14,21 is amended with allowable limitations to overcome prior art rejection. Applicant's argument filed on 12-19-2006, are convincing. As argued by applicant in remarks under claim rejection on page 5, last paragraph and on page 6 first paragraph the prior art of Moss et al. (6,144,549) in view of Sawyer (US 6,418,010 B1) and Shiraishi et al. (US 2004/0100621 A1)

Art Unit: 2629

fails to recite or disclose the uniquely distinct features of the independent claims limitations below with other limitations recited above:

**an adjustable screw to lock a display device at one of a plurality of positions, wherein the plurality of positions includes a range of incremental positions between a first position and a second position.**

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

#### ***Conclusion***

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Prabodh M Dharia whose telephone number is 571-272-7668.

The examiner can normally be reached on M-F 8AM to 5PM.

5. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

6. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR

Art Unit: 2629

system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

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02-25-2007



**BIPIN SHALWALA**  
**SUPERVISORY PATENT EXAMINER**  
**TECHNOLOGY CENTER 2600**